REMARKS

Claims 1-11 were examined and reported in the Office Action. Claims 1-11 are rejected. Claim 4 is objected to. As can be seen the above amendment, claims 1, 4, 5, 9 and 10 are merely amended in order to particularly point out and distinctly claim the subject matter of the present invention without adding any new matter. Claims 1-11 are pending in the application.

Applicant respectfully requests reconsideration in view of the above amendments and following remarks.

In the Drawings:

It is asserted in the Office Action that

a. In FIG. 2, the text "USER AUTHENTIFICATION" should be "USER AUTHENTICATION."

Applicant has amended FIG. 2 as requested, and submits the amended drawing.

Approval is respectfully requested.

It is also asserted in the Office Action that

b. In FIG. 3, the label "AST" within element 306 is not spelled out or identified in the disclosure. In response, Applicant has amended the disclosure on page 9, paragraph [0046], to include the label "AST", which was identified, in paragraph [0046] as "active session table".

Approval is respectfully requested.

Rejection under 35 U.S.C. §112

In the Office Action, the Examiner rejected Claims 1, 5 and 11 under 35 U.S.C. §112 first paragraph, the term "ATM pool number" has not been defined in the specification and it's correlation with the machine identification (MIN) is ambiguous.

The present invention relates an apparatus and method for web-phone service in DSL using ATM. The NAS 304 has an ATM header pool in which ATM pool number, IP, and MIN are matched and stored. (*See* lines 13-14, page 10 in the specification) The ATM pool number means a channel number between the ADSL modem and the NAS, which is not distinctly

described in the specification but Applicant submits that such term was well known to persons skilled in the art at the time the application was filed.

Rejection under 35 U.S.C. §103

In the Office Action, the Examiner rejected Claims 1 and 4 under 35 U.S.C. §103(a) as being obvious over Kobayashi (US Patent Application Publication No. 2001/0004361); Claims 2-3 under 35 U.S.C. §103(a) as being obvious over Kobayashi in view of US6275490; and Claims 5 and 7-9 under 35 U.S.C. §103(a) as being obvious over Dynarski (US Patent No. 6,272,129). However, Applicant does not agree with the Examiner's assertion for the reasons outlined below.

With respect to Kobayashi

Referring to [0005-0006] of Kobayashi, in a conventional system, it is difficult to allocate a globally-unique IP address to each telephone in the LAN, when a plurality of telephones are connected to the internet via a LAN. To solve this problem, a private IP address is assigned to each telephone in a LAN and the address is converted between the private IP address and the global IP address. Although some persons are outside the LAN, the conventional system does not allow a person outside the LAN to directly make a call to a telephone in the LAN even if he or she who knows its private IP address because the address is not registered with the Internet.

To solve these problems, in Kobayashi, a global IP address is used between a telephone 510 connected to the Internet and the LAN, and a private IP address is used between the LAN and the telephone in the LAN. (*See [0037-0038] in Kobayashi*)

In detail, the telephone 510 creates an IP packet with the received global IP address as the destination IP address and sends the packet to a router 3. The router 3 sends the IP packet received from the telephone 510 to the telephone controller 100. This IP packet is sent to the header analyzing circuit 121 via the LAN interface circuit 120. The header analyzing circuit 121 analyzes the header of the IP packet and then sends the ID stored in the ID 412 to the control circuit 110. The control circuit 110 searches the table 131 with the user name or the extension telephone number contained in the ID to obtain the private IP address of the telephone 200. Then, the control circuit creates a reception notification packet with the private IP address of the

telephone 200 as the destination IP address and sends the created packet to the telephone 200 via the LAN interface circuit 120.

An object of the present invention is to solve a problem that a web-phone service based on IP cannot be provided since a web-phone terminal cannot maintain the previously assigned IP (collect the IP) when a user does not send a signal for a certain period of time, for example, 30 minutes. That is, the ADSL network functions in a manner that an assigned IP is collected when a user does not send a signal for a certain period of time and a new IP is re-assigned when the terminal sends a signal again.

In the present invention, a real time communication using a voice over Internet protocol (VoIP) in the ADSL systems can be established by solving the problem of collecting the IP address in accordance with the present invention. The RIB 305 allows a communication between two points by controlling the NAS 304 to forcibly execute the ADSL modem 309 of the user terminal B 310, which is requesting access and ADSL modem 302 of an access-requested terminal A 301 having no IP address and to forcibly allocate an IP to the terminal A 301 and return the allocated IP to the terminal B 310.

In Kobayashi, the global IP address assigned to the LAN is a static IP (i.e., not collected), the private IP address is created automatically by the IP address allocating circuit 122 each time the telephone moves from the inactive state to the active state. (*See [0027] in Kobayashi*)

However, in the present invention providing a web-phone service in ADSL network, the IP address is collected (dynamic IP) when a user does not send a signal for a certain period of time, and a new IP is re-assigned when the terminal sends a signal again. RIB 305 allows a communication by controlling the NAS 304 to forcibly execute the ADSL modem 302 of the access-requested terminal A 301 having no IP address, based on the ATM pool number, and allocate an IP to the user terminal A 301 and return the allocated IP to the user terminal B 310.

Accordingly, Kobayashi is entirely different from the present invention; and claim 1 of this invention is not obvious over Kobayashi. Also, claims 2-4 are not obvious because claims 2-4 are dependent on claim 1.

With respect to Dynarski

Dynarski discloses a dynamic allocation of wireless mobile nodes over an Internet protocol (IP) network. In Dynarski, in the event that the mobile node location server does not find an IP address for the device in the table, the device is paged via the wireless communications network. In response to the page, the mobile device dials into the wireless communications network, it initiates a connection with the IP network by virtue of an established PPP connection between one of the network access servers on the LAN and mobile switching center and base station in the wireless network.

However, Dynarski fails to teach or disclose the steps in the present invention as defined in Claim 5 "c) controlling a network access server (NAS) to allocate an IP address to the access-requested terminal by using an ATM pool number corresponding to the MIN of the access-requested terminal in case that the access-requested terminal has no IP address". Since Dynarski does not relate to an ADSL system using ATM, i.e., the object of Dynarski is entirely different from that of the present invention. IP allocation to the access-requested terminal based on ATM pool number is not disclosed in Dynarski.

Conclusion

Therefore, the claimed invention is definitely different from Kobayashi and Dynarski, and independent claims 1, 5 and 10 are patentable. Further, since independent claims 1, 5 and 10 are patentable, the rejections to all dependent claims should be withdrawn.

In view of the foregoing, it is submitted that all outstanding requirements have been addressed, and the claims pending for examination, namely claims 1-11 are now in condition for allowance, which early action is requested.

If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 7/17/08

Eric Hyman, Reg. No. 30,139

1279 Oakmead
Parkway
Sunnyvale, CA
94085-4040
(310) 207-3800

CERTIFICATE OF ELECTRONIC FILING
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below

Linda Metz 7-17-08

Linda Metz July 17, 2008